



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WEBSTER, et al.

Application No.: 09/723,326

Examiner: McKelvey, T.

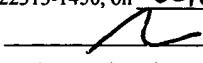
Date Filed: November 28, 2000

Group: 1636

For: MOLECULAR SWITCH FOR REGULATING MAMMALIAN GENE EXPRESSION

CERTIFICATE UNDER 37 CFR 1.8(A)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on October 4, 2004.

 Reg. No. 42,730

Stanley A. Kim, Ph.D., Esq.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Commissioner for Patents
P.O. Box 1450
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Dear Sir:

Pursuant to the Duty to Disclosure under 37 CFR 1.56, the references cited on the accompanying PTO Form SB/08B are hereby brought to the attention of the Examiner for independent evaluation. A copy of each non-US patent reference is enclosed.

The claimed invention is believed patentable over the disclosures enclosed. This citation is intended to give the Examiner an opportunity to make an independent evaluation. No representations are made regarding these materials.

Respectfully submitted,

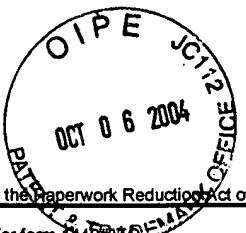
RUDEN, MCCLOSKY, SMITH,
SCHUSTER & RUSSELL, P.A.

Dated: October 4, 2004



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Docket No: 8002-1



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(Use as many sheets as necessary)

Sheet

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of

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Application Number	09/723,326
Filing Date	November 28, 2000
First Named Inventor	WEBSTER
Art Unit	1636
Examiner Name	MCKELVEY, T.
Attorney Docket Number	8002-1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Coulson et al., "Arginine Vasopressin Promoter Regulation Is Mediated by a Neuron-restrictive Silencer Element in Small Cell Lung Cancer," <i>Cancer Research</i> , 59: 5123-5127, 1999.	
		Shimojo et al., "Protein Kinase A Regulates Cholinergic Gene Expression in PC12 Cells: REST4 Silences the Silencing Activity of Neuron-Restrictive Silencer Factor/REST," <i>Molecular and Cellular Bio.</i> , 19: 6788-6795, 1999.	
		Avisar et al., "A Silencer Element in the Regulatory Region of Glutamine Synthetase Controls Cell Type-specific Repression of Gene Induction by Glucocorticoids," <i>The Journal of Biological Chemistry</i> , 274: 11399-11407, 1999.	
		Timmusk et al., "Brain-derived Neurotrophic Factor Expression in Vivo Is under the Control of Neuron-restrictive Silencer Element," <i>The Journal of Biological Chemistry</i> , 274: 1078-1084, 1999.	
		Kallunki et al., "The neural restrictive silencer element can act as both a repressor and enhancer of L1 cell adhesion molecule gene expression during postnatal development," <i>Proc. Natl. Acad. Sci. USA</i> , 95: 3233-3238, 1998.	
		Palm et al., "Neuronal Expression of Zinc Finger Transcription Factor REST/NRSF/XBR Gene," <i>The Journal of Neuroscience</i> , 18: 1280-1296, 1998.	
		Kallunki et al., "Tissue-specific Expression of the L1 Cell Adhesion Molecule Is Modulated by the Neural Restrictive Silencer Element," <i>The Journal of Cell Biology</i> , 138: 1343-1354, 1997.	
		Pepitone et al., "Structure of the m1 Muscarinic Acetylcholine Receptor Gene and Its Promoter," <i>The Journal of Biological Chemistry</i> , 272: 17112-17117, 1997.	
		Mieda et al., "Expression of the Rat m4 Muscarinic Acetylcholine Receptor Gene Is Regulated by the Neuron-restrictive Silencer Element/Repressor Element 1," <i>The Journal of Biological Chemistry</i> , 272: 5854-5860, 1997.	
		Lonnerberg et al., "Cell Type-specific Regulation of Choline Acetyltransferase Gene Expression," <i>The Journal of Biological Chemistry</i> , 271: 33358-33365, 1996.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		Schoenherr et al., "Identification of potential target genes for the neuron-restrictive silencer factor," Proc. Natl. Acad. Sci. USA, 93: 9881-9886, 1996.	
		Wood et al., "Neural Specific Expression of the m4 Muscarinic Acetylcholine Receptor Gene Is Mediated by a RE1/NRSE-type Silencing Element," The Journal of Biological Chemistry, 271: 14221-14225, 1996.	
		Schoch et al., "Neuron-specific Gene Expression of Synapsin I," The Journal of Biological Chemistry, 271: 3317-3323, 1996.	
		Kallunki et al., "Silencer Elements Modulate the Expression of the Gene for the Neuron-Glia Cell Adhesion Molecule, Ng-CAM," The Journal of Biological Chemistry, 270: 21291-21298, 1995.	

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